

United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke

**USA v. JOSE MARIA LOPEZ
ORDUNO**

Case No. 4:20-CR-6002-SAB-1

**Arraignment on Superseding Indictment:
Motion for Release from Detention (ECF No. 83):**

04/14/2020

- | | |
|--|---|
| <input checked="" type="checkbox"/> Sara Gore, Courtroom Deputy [R] | <input checked="" type="checkbox"/> Stephanie Van Marter, US Atty [S-Video] |
| <input type="checkbox"/> Pam Howard, Courtroom Deputy [Y] | <input checked="" type="checkbox"/> Jeremy Sporn, Defense Atty [Y-Video] |
| <input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services Officer [Tele] | <input checked="" type="checkbox"/> Interpreter – Cristina Perez Lopez [R] |
| <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody, appearing by video from BCJ. | <input type="checkbox"/> Defendant not present / failed to appear |

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- | | |
|--|--|
| <input checked="" type="checkbox"/> Rights given | <input checked="" type="checkbox"/> Defendant continued detained |
| <input checked="" type="checkbox"/> Acknowledgment of Rights filed | <input type="checkbox"/> Conditions of release as previously imposed |
| <input checked="" type="checkbox"/> Defendant was sent copy of charging document via USPS. | |
| <input checked="" type="checkbox"/> Defendant waived reading of charging document | |
| <input type="checkbox"/> Charging document read in open court | |

REMARKS

The Defendant agreed to appear via video conference from the Benton County Jail.

Arraignment:

Defendant states he has not received the charging documents.

Defense counsel informed the court he mailed them on April 8th to the Benton County Jail and filed a notice of certification today.

Defendant appeared and was assisted by counsel and advised of their rights and the allegations contained in the charging document.

The Defendant acknowledged to the Court that their true and correct name is: Jose Maria Lopez Orduno.

“Not guilty” plea entered.

Discovery to be provided pursuant to the local rule on discovery.

Motion for Release from Detention:

Defense counsel argued why the Defendant should be released. New release address in Pasco in which the defendant will be living with his cousin and family. The Covid-19 virus and update with current numbers and deaths. Releasing the defendant would minimize the risk of him getting Covid-19.

Colloquy between court and counsel re USA allegations and proceeding forward today.

Defense counsel continues argument regarding Defendant's release.

USA argued why the Court should not reopen detention and why there are no conditions of release which will reasonably assure Defendant's appearance as required and/or the safety of the community.

The Court ordered:

1. Defendant's Motion for Release from Detention is **denied**.
2. Defendant's Motion to Expedite is **granted**.
3. That there is no combination of conditions to assure the Defendant's appearance as required or conditions to ensure that Defendant is not a danger to the community.